

CHAPTER LXXVIII.

Krishnaraja Wodeyar III—1831 to 1868.

**Fresh hopes raised by the Queen's Proclamation—
Adoption circular withheld from Krishnaraja Wodeyar—
Further appeal to Canning and his adverse decision—
Decision of Sir Charles Wood, Secretary of State, supporting
Canning—Dissenting minutes by two members of the India
Council.**

On becoming aware of the true nature of the working of the mind of Lord Dalhousie, Krishnaraja Wodeyar considered it wisdom on his part to conceal his hand for the time being and not to press his claims till the squally weather which had enveloped the fortunes of the Indian Princes cleared and gleams of sunshine once more appeared to improve their fortunes. Luckily, the Maharaja had not long to wait. For, shortly after Lord Dalhousie left India and Lord Canning took his place, the dreadful Indian Mutiny broke out and it required all the talents and powers of Canning to face the terrible events of that period, the results of which unparalleled catastrophe were to end the old East India Company and to bring India directly under the Crown of Great Britain. The Queen's Proclamation of 1858 distinctly assured the Indian Princes that their rights, dignities and honour according to former usages would be upheld. The Proclamation also stated in clear terms that no further encroachments on the dominions of the Indian Princes would be allowed. Sir Mark Cubbon on the publication of this Proclamation while deploring that such solemn and public statement of principles should be enunciated in the Queen's Proclamation, at the same time is said to have declared that as the pledges had been given they should be scrupulously respected and that the royal origin of the document forbade all tampering with its terms and that it constituted an absolute bar to any further territorial acquisitions. Lord Canning's famous despatch of 30th April 1860 guaranteed to every Indian Chief above the rank of a jahagirdar the right of adopting a successor according to the Hindu Law. "Because", said he, "it will show

at once and for ever that we are not lying in wait for opportunities of absorbing territory and that we do deliberately desire to keep alive a feudal aristocracy where one still exists.”

A copy of the Queen's Proclamation, as we have seen, was sent to Krishnaraja Wodeyar and it was read in open durbar with due solemnity and ceremony and the Maharaja's hopes for his reinstatement in power greatly revived. He had however not long to wait, when to his disappointment he found that no copy of the circular relating to adoption was sent to him as its benefit was explained as confined only to those Princes who were at the time governing their own territories. This restriction was clearly intended to exclude the case of Krishnaraja Wodeyar as the opinion expressed by Dalhousie seemed to have produced its effect on Canning's mind. In his letter to the Secretary of State, dated 30th March 1860, advising the annulment of his order to place Mysore under the Madras Government, Canning had significantly written that while it was very little desirable that more provinces should be added to those which were already under the absolute rule of the Queen in India, the case of Mysore lying in the midst of the Madras Presidency and bound to the British Government in a way neither convenient nor satisfactory was quite exceptional and the bequest of that country, he had also said, in full sovereignty to the Crown by the free will of the Ruler and in a spirit of loyal attachment to the British Power was a consummation eagerly to be wished for.

The Maharaja, of course, was unaware of the above sentiments expressed by Canning in his despatch to the Secretary of State and naturally when in June 1860 Canning conveyed to His Highness the Secretary of State's withdrawal of his order to place Mysore under the Madras Government, the Maharaja felt that a favourable time to repeat his request for reinstatement in power had arrived. Accordingly a fresh khareetha was addressed on 23rd February 1861 to Canning in which while complimenting him for his just and wise treatment of the native Princes of India in strengthening their hands and elevating their position, the Maharaja recalled to his mind all the circumstances which had placed him on the throne of Mysore, his subsequent deprivation of power, the temporary

character of such deprivation and urged that the time had arrived for his restoration to his former position. Finally, the Maharaja concluded his khareetha with these significant and solemn words:—

“ A day will come, my Lord, possibly not in my time, for I am now an old man but probably at no remote period when these Princes and Chiefs bound to your Government by the double tie of gratitude and self-interest will present a bulwark which neither the wave of foreign invasion nor the tide of internal disaffection can throw down and then the wisdom and justice of your Lordship’s policy which no Governor-General before your Lordship had the courage to avow will become manifest to the world.”

This khareetha remained unanswered for 13 months and on 11th March 1862 a day before he left Calcutta for England laying down his office, a reply was sent in which Canning stated that he was unable to support the Maharaja’s request or to admit the grounds on which the claim was founded and which he said he regarded as mistaken and untenable. This harsh reply of Canning has only an historical interest at present, as it has lost its practical value by the subsequent course of events in England which ended in the reversal of his decision. At the time, however, it added to the difficulties of the Maharaja as a knowledge of the contents of the reply in some detail would show and required undaunted courage, an unusual amount of tact and diplomatic skill and considerable fertility of resources to secure that reversal which the justice of the case demanded. Lord Mornington far from waiving, said Canning, any right of conquest maintained that right in all its integrity in a three-fold manner. The right of conquest empowered the Company and the Nizam to make a partition and settlement of the territories held by Tippu. Whatever was conferred upon the British Government, whatever was conferred upon the Nizam, whatever was conferred upon the Maharaja were all clearly defined in the Partition and Subsidiary Treaties. The British Government being sensible of its responsibility which the rights of conquest and of sovereignty imposed upon it acted upon the provisions of the treaty and having made ample provision for the comfort and dignity of the Maharaja cancelled the authority it had conferred and re-entered on the possession and administration of the Mysore

territory in order to retrieve its public resources and to rescue the country from anarchy and ruin and that no expectation direct or indirect was held out that that authority would be restored during the life-time of the Maharaja under its former conditions. The Government of India, it was further said, had abstained from all pledge either to the Prince or people of Mysore that an administration which had failed would ever be re-established and that the proposals of Lord William Bentinck fell to the ground when they were not sanctioned by the higher authorities. The expressions of the Court of Directors to restore the native government at some future date were, it was said, simply in the way of caution to prevent anything being done which could interfere with the future free action of the British Government as to the form of administration to be organised for Mysore. One-fifth share of the net revenue payable to the Maharaja as stipulated in the treaty was being paid but that that provision was a personal right and not a heritable one and the good faith of the British Government towards the Maharaja remained inviolate. It was to be remembered that the paramount authority of British officers was the safeguard and the very essence of the good which was manifest under the British administration. If the authority of the British officers were removed or even hampered, the peace and prosperity of Mysore would be at an end. The obligations of the British Government to the people of Mysore were as sacred as its self-imposed obligations to the Maharaja. This reply was sent in a cover which bore the address "To the Maharaja residing at Mysore" instead of as before "To the Maharaja of Mysore" as had been the custom for the past 63 years. At the same time L. B. Bowring who was Private Secretary to Lord Canning had been gazetted as "Commissioner of Mysore" while Cubbon was always designated as the "Commissioner for the government of the territories of the Raja of Mysore."

By the time this khareetha containing Canning's adverse decision reached the Maharaja, Lord Elgin had taken charge of the Governor-General's office and the Maharaja preferred an appeal through him to Sir Charles Wood in England who was then the Secretary of State for India. Elgin in forwarding this appeal to

England contented himself by merely observing that the allegations and reasonings on which the appeal was based did not shake his confidence in the propriety of his predecessors' decision.

Sir Charles Wood with the concurrence of the majority of his Council decided in July 1863 that the Maharaja was not entitled to the restoration of his country and that Canning's decision supported as it was by Lord Elgin should continue to stand. With respect to the point urged by the Maharaja that according to the treaty the British Government had power of assuming the management of the country only until order was restored, it was sufficient to state, said the Secretary of State in his despatch to the Government of India, that the treaty contained no conditions under which the administration of the Maharaja's territories when once assumed by the British Government was to be restored to His Highness. It was true, further said the Secretary of State, that in no despatch of the Government in England was any intention of permanently assuming the administration of the country expressed. It was also true that the Court of Directors in their orders to their officers in India conveyed an idea that no changes were to be introduced which would present an obstacle to the restoration of the country to the Maharaja in the future. But this idea could only be taken as a mere wish on their part that no step should be taken or words used which would in the future interfere with the free exercise of their discretion to take any action deemed expedient at the time. Such an expression of opinion by the Court of Directors could not be understood as an obligation on the part of the British Government to reinstate the Maharaja or to give to His Highness any right to such restoration. Her Majesty's Government having arrived at a conclusion, added the Secretary of State, adverse to the wishes of a Prince whose fidelity and loyalty during the recent events in India had merited the approbation and thanks of Her Majesty, the decision was to be conveyed to His Highness in such a manner as would be least painful to his feelings and that the British Government would be ready to approve any arrangement which would further contribute to the Maharaja's dignity and comfort.

Sir Henry Montgomery, one of the members of the Council of India in the minority, in his dissenting minute held that the original assumption of the country was not warranted by a fair interpretation of the treaty of 1799 and that the action of the then Governor-General was based on erroneous information of the actual condition of the country. The subsidy was never in arrear and as admitted by Lord William Bentinck himself at a later period was not in any jeopardy. Lord William Bentinck on a perusal of the able and penetrating report of the enquiry committee was satisfied that the disorder under the Maharaja's rule had been greatly exaggerated by the Madras Government, that the disturbances that had occurred were largely attributable to the withdrawal of the advice of the Resident and that the continuance of the disturbances was due to flocking to the rebel standard of foreigners from the Southern Mahratta country. The report also bore testimony, said Montgomery, to the fact that at the same time for the same assigned cause, namely, oppressive taxation, insurrection was rife in the British district of Canara where the taxation bore unfavourable contrast with that prevailing in Mysore. It was impossible to deny from a perusal of the whole correspondence that it was throughout the professed purpose of the Home authorities to restore to the Maharaja the administration of the country and that they regarded the direct management of it only as a temporary measure. The management of the Mysore territories having for 30 years been conducted by British officers with a success admitted by the supreme Indian authorities as well as by the Home Government, it could no longer be maintained that security to the ryots against undue taxation and a system for the due administration of justice for which the Court of Directors had stipulated as a condition for restoration had not been attained. Lord Canning's reply was a harsh and cold denial of the Maharaja's claims. The obvious interests of the British Government in the acquisition of the territories of Mysore surrounded as they were on all sides by British possessions were bound to yield to the more necessary obligations of good faith and the strict observance of treaties. The recapitulation of events in the Secretary of State's despatch consisted of all that could be extracted from the records that bore against the Maharaja's claims

and withheld much that told in their favour. The obligations of the British Government towards the people of Mysore were given as a reason for refusing the Maharaja's claim, while it was notorious that the people of Mysore were greatly desirous of His Highness' restoration to his government. Sir Fredrick Currie another dissenting member stated that if the Maharaja should adopt a son, the whole territory in full sovereignty must pass to such a son on his attaining majority. If Lord Dalhousie's argument regarding the personal character of the Subsidiary Treaty was admitted, it would affect, he further said, the stability of the tenure of Scindia and of half the princes of India in their dominions.

Sir John Willoughby another dissenting member recorded that by now virtually declaring the treaty of Mysore cancelled and the occupation of the Maharaja's country to be permanent, they were after a lapse of 30 years enhancing the penalty originally imposed on the Maharaja and that at a time when they were prodigal of their admissions that during the recent eventful crisis in India the Maharaja had displayed the most conspicuous loyalty and had performed very essential services for the British Government. By order of the Court of Directors the government of Mysore was conducted in the name of the Maharaja and not in that of the East India Company. In 1843 when notwithstanding the earnest entreaties of Sir Mark Cubbon to the contrary and to the great detriment of the revenues of Mysore the prohibition by Acts XV of 1839 and XI of 1842 of the importation of foreign sugars into the Madras territories was enforced against Mysore on the ground that it was foreign territory, it was in fact ruled that no sugar which was the growth of Mysore could be admitted into the adjacent district of Canara even for local consumption. In like manner, on the same ground, the importation of tobacco from Mysore into Malabar was prohibited altogether and coffee was subjected to a high differential duty and this notwithstanding the fact that Mysore admitted all British produce free and levied on the produce of the Company's districts no higher duty than upon its own. When in 1840 the question arose whether it was within the competency of the Queen's Court at Madras to execute its processes in the Mysore territory and on being referred to the Advocate-General at Calcutta he distinctly

gave his opinion in the negative. The Advocate-General declared that he was aware that Mysore was virtually governed by the East India Company. But though that was true, still the sovereignty of Mysore was expressly admitted to be in the Maharaja and that the authority of the Government in Mysore was exercised in his name and on his behalf nominally by the East India Company as trustees for him.

These protests of the dissenting members were however of no avail and the Secretary of State's despatch containing with the concurrence of a majority of the members of the India Council his confirmation of Canning's decision was sent to India for communication to the Maharaja.